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OFFICE OF PETITIONS

In re Application of
Nguyen, et al.
Application No. 10/682,217
Filed: October 8, 2003
Attorney Docket No. H0005469
For: MULTI-ACTION ON
MULTI-SURFACE SEAL WITH
TURBINE SCROLL RETENTION
METHOD IN GAS TURBINE ENGINE

DECISION ON
PETITION

This is a decision on the petition filed February 20, 2004 (certificate of mailing date February 17, 2004) requesting that Figure 1 be accorded a filing date of October 8, 2003. The petition will be treated under 37 CFR 1.53(e).

The application was filed on October 8, 2003. On January 5, 2004, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s) in a Nonprovisional Application" (Notice) informing petitioners that Figure 1, as described in the specification, appeared to have been omitted.

Petitioners request that Figure 1 be accorded a filing date of October 8, 2003 on the basis that 5 sheets of formal drawing figures, including Figure 1, were received in the Patent and Trademark Office (PTO) on October 8, 2003. In support, the instant petition is accompanied by a copy of applicants' itemized postcard receipt showing an Office of Initial Patent Examination generated barcode citing October 8, 2003 as the date of receipt. The postcard lists, *inter alia*, that the filing included 5 sheets of formal drawings.

The return postcard constitutes *prima facie* evidence that 5 sheets of formal drawing figures were filed on October 8, 2003. MPEP 503. A review of the application file reveals that there are 4 sheets of drawing figures present, depicting Figures 2-5.

Accordingly, the petition under 37 CFR 1.53(e) is **GRANTED**. The \$130.00 petition fee charged on February 25, 2004 will be credited to deposit account no. 01-1125.

The application is being returned to Office of Initial Patent Examination for further processing, with a filing date of **October 8, 2003**, using the copy of Figure 1 submitted with the instant

petition. Office records will be corrected to show that 5 sheets of drawings were present on initial filing.

Any inquiries pertaining to this matter may be directed to the undersigned at (703) 308-6712.

E. Shirene Willis

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